

FITAPELLI & SCHAFFER, LLP
28 Liberty Street, 30th Floor
New York, New York 10005
Telephone: (212) 300-0375

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

**BRIGETTE MABE, on behalf of herself and all others
similarly situated,**

Plaintiff,

-against-

WAL-MART ASSOCIATES, INC.,

Defendant.

**No.: 20 Civ. 00591
(TJM)(CFH)**

PLAINTIFF'S NOTICE OF SUPPLEMENTAL AUTHORITY
IN FURTHER OPPOSITION TO DEFENDANT'S RENEWED MOTION TO DISMISS

Plaintiff, by and through her undersigned counsel, hereby submits this Notice of Supplemental Authority in further opposition of Defendant's renewed motion to dismiss (Doc. No. 23). Attached please find an order from The Eastern District of New York in *Caul v. Petco Animal Supplies, Inc.*, refusing to certify the denial of the defendants' motion to dismiss for interlocutory appeal. Plaintiff thanks the Court for its time and consideration.

Dated: New York, New York
December 23, 2021

By: s/Brian S. Schaffer
Brian S. Schaffer

Brian S. Schaffer
Hunter G Benharris
FITAPELLI & SCHAFFER LLP
28 Liberty Street, 30th Floor
New York, NY 10005
Telephone: (212) 300-0375
Facsimile: (212) 481-1333
*Attorneys for Plaintiff and the
Putative Class*

TO: GREENBERG TRAURIG, LLP (via ECF)
Henry M. Greenberg
54 State Street, 6th Floor
Albany, New York 12207
Telephone: (518) 689-1400
greenbergh@gtlaw.com